

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE
WRIT PETITION NO : 7152 of 2000

Between:

- 1 N. V. Ramana s/o. Ramanamma
r/o Jaypore Road, Near R.T.C. Complex Saluru
Vizianagaram District.
- 2 M.V.G.M.Krishnarao s/o. Narayanarao
C/o. Visakha Grameena Bank Main Road,
Saluru, Vizianagaram District.

..... PETITIONER(S)

AND

- 1 The General Manager, The Nizam Sugars Limited,
Latchayyapeta,
Seethanagaram mandal,
Vizianagaram Dist.
- 2 The Managing Director, The Nizam Sugars Ltd., Shakkar Bhavan,
Fathehmaidan Road, Post Box-No.1
Khairatabad Hyderabad-500 004.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus directing the respondents to continue the petitioners in service as Field Mastries in the 1st respondent company with all future benefits of employment by holding the action of the 1st respondent in not allowing the petitioners to function as Field Mastries in the 1st respondent company in the absence of any proceedings as illegal and without jurisdiction and to pass

For the Petitioner:MR.ADDEPALLI SURYANARAYANA

For the Respondent No.: MR.Nooka Jagannadham

The Court Made the Following Order:

HONOURABLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

WRIT PETITION No.7152 of 2000

ORDER:

The writ petition was filed by the petitioners after they were relieved from service and sought directions for regularization of their services and payment of emoluments. During the pendency of the petition, there was stay operating. In addition to petitioners, there were around 150 employees who were retrenched under Section 25-F of the Industrial Disputes Act. The stay order passed was according to the petitioners, pending disposal of the writ petition. Thus, the respondent-company continued to pay salary to the petitioners till May, 2003. Since June, 2003, salaries were not being paid.

During the pendency of the writ petition, all units of respondent-company including Lachayyapet were privatized and the company was transferred to M/s. .N.C.S. Estates (Pvt.) Ltd.

In view of the subsequent developments, in so far as the main relief sought for in the petition is concerned, the same cannot be granted in this petition and as such the petition has been rendered infructuous. Since the other employees who were retrenched in the year 1997 were paid retrenchment compensation, it may be a case for payment of retrenchment compensation. For that purpose, learned counsel for the petitioners states that on 13.4.2004 petitioners submitted representation for payment of retrenchment compensation, which has not been processed or acted upon.

Learned counsel for the respondents states that whatever is due and payable to the petitioners will be duly paid by them.

This Court need not decide as to the quantum of retrenchment compensation payable to the petitioners. It will be for the respondents to take appropriate decision in the matter and pay whatever is due and payable to the petitioners in accordance with law.

With these directions, the writ petition stands disposed of. No costs.

DATE: 17th June, 2004

GUPTA,CJ

DEVINDER

Pnb

To

1 The General Manager, The Nizam Sugars Limited,
Latchayyapeta,
Seethanagaram Mandal, Vizianagaram Dist.

2 The Managing Director, The Nizam Ssugars Ltd., Shakkar
Bhavan, Fateh Maidan Road, Post Box
No.1 Khairatabad,
Hyderabad-500004.

3. 2 C.D.Copies